



GAU164)

Attorney's Docket No.: 00786-292002 / MGH-0952.1 Mill

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Samuel I. Miller  
Serial No. : 09/068,804  
Filed : May 14, 1998  
Title : SALMONELLA SECRETED PROTEINS AND USES THEREOF

Art Unit : 1641  
Examiner : Baskar, P.

Commissioner for Patents  
Washington, D.C. 20231

JUL 06 2003  
TECH. CENTER 1600/2900

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed June 20, 2000 (copy enclosed). The application was abandoned under 37 CFR §1.135 for failure to respond to the Office Action mailed October 14, 1999.

The undersigned, applicant's attorney of record, first became aware of the abandonment on June 22, 2000, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR §1.8(b)(1).

The following documents are submitted under 37 CFR §1.8(b)(2) as proof that a Response was timely filed on April 14, 2000:

1. A copy of the response to the Office Action, including an executed certificate of mailing signed by Toni M. Sousa on April 14, 2000;
2. A copy of the Petition for Extension of Time, including an executed certificate of mailing signed by Toni M. Sousa on April 14, 2000, which extended the period for responding to the Office Action for three months, to and including April 14, 2000;
3. Copies of the checks dated April 14, 2000 and postcard dated April 14, 2000 that were included with the response and Petition for Extension of Time; and

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

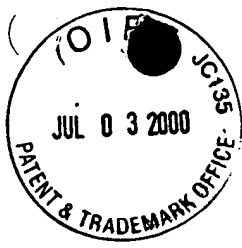
Typed or Printed Name of Person Signing Certificate

June 30 2000

Toni M. Sousa

Toni M. Sousa

• Applicant : Samuel Miller  
Serial No. : 09/068,804  
Filed : May 14, 1998  
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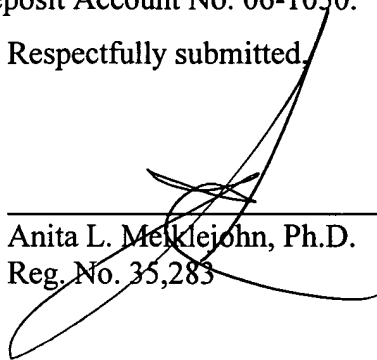
4. Copies of the cancelled checks and postcard stamped received by the PTO Mailroom on April 24, 2000.

Applicant submits that the response to the Office Action was timely filed and requests that the Notice of Abandonment be withdrawn.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 28 JUNE 2000

  
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Anita L. Melklejohn, Ph.D.  
Reg. No. 35,283

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